

United States District Court  
for the  
Southern District of New York  
Related Case Statement

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Full Caption of Later Filed Case:

HAPAG-LLOYD AKTIENGESELLSCHAFT

14 CV 9949

Plaintiff

Case Number

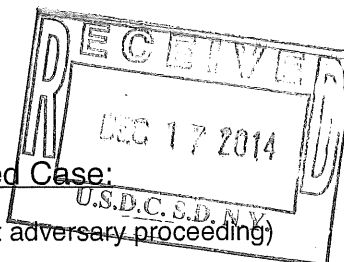
vs.

U.S. OIL TRADING LLC, O.W. BUNKER  
GERMANY GMBH, O.W. BUNKER &  
TRADING A/S, ING BANK N.V., CRÉDIT  
AGRICOLE S.A.

Defendant

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)



UPT Pool Ltd.

Plaintiff

Case Number

vs.

14-cv-9262

DYNAMIC OIL TRADING (SINGAPORE) PTE  
LTD.; O.W. BUNKER USA INC.; O.W. BUNKER  
NORTH AMERICA INC.; O.W. HOLDING NORTH  
AMERICA INC.; HARLEY MARINE SERVICES,  
INC.; ING BANK N.V.

Defendant

IH-32

Rev: 2014-1

## Status of Earlier Filed Case:

☐

Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)

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Open

(If so, set forth procedural status and summarize any court rulings.)

The earlier filed case, 14-cv-9262, involves an interpleader complaint in the wake of the OW Bunker group bankruptcy. Several cases were filed in this court involving the same issues. The first-filed case, 14-cv-9262, was assigned to Judge Caproni, and four other cases were assigned to other judges. Thereafter Judge Preska directed that the other cases be transferred to Judge Caproni. There are now 5 consolidated actions pending before Judge Caproni that all deal with interpleader complaints in the wake of the OW Bunker group bankruptcy. On 12/11/14, Judge Caproni issued an order requiring counsel for all parties in the cases to attend a conference on 12/18/14 to discuss a proposed course of action in the consolidated cases.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

The cases involve some overlapping parties and address a number of similar legal issues related to the global bankruptcy of the OW Bunker group companies, including the availability of an injunction under the Federal Interpleader Act once funds are deposited into the Registry of the Court and the scope of the maritime lien for bunkers. In addition, these cases also deal with a number of identical contacts and contractual terms.

Signature: \_\_\_\_\_



Freehill, Hogan & Mahar LLP

Date: 12/17/14

Firm: \_\_\_\_\_